IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.80898-M of 2006

DATE OF DECISION: FEBRUARY 22, 2007

Sakatar Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.S.Dadwal, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Sakatar Singh apprehending his arrest in a non-bailable offence in case FIR No.93 dated 9.5.2005 registered under Sections 15/61/85 of the NDPS Act at Police Station Sadar Focal Point, Ludhiana, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on December 22, 2006, the arrest of the petitioner was stayed subject to his appearance before the trial court and furnishing fresh regular bail bonds to its satisfaction.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the petitioner was on regular bail and on 4.10.2006 he could not reach Ludhiana from Hyderabad due to heavy rain. An application for exemption from personal appearance was also filed on behalf of the petitioner but the same was dismissed and bail bonds of the petitioner were cancelled and he was summoned through non-bailable warrants.

Counsel for the petitioner further contends that in terms of the aforesaid interim order, the petitioner has appeared before the trial court and furnished his fresh regular bail bonds which have been accepted and attested, and since then he is regularly appearing. This fact has not been disputed by the State counsel and he further on instructions from HC Harpal

Singh states that the petitioner is no more required for further investigation.

In view of the above, the interim order dated December 22, 2006 is made absolute on the same terms and conditions.

Disposed of accordingly.

February 22, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE